

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**THE STATE OF TEXAS, et al,**

*Plaintiffs,*

**v.**

**GOOGLE LLC,**

*Defendant.*

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**Civil Action No. 4:20-cv-00957-SDJ**

**DEFENDANT GOOGLE LLC’S UNOPPOSED MOTION FOR LEAVE TO FILE  
UNDER SEAL**

Defendant Google LLC (“Google”) respectfully moves to seal its Reply in Support of its Motion for Summary Judgment on Plaintiffs’ Antitrust Claims.

**LEGAL STANDARD**

While “[t]here is a strong presumption in favor of a common law right of public access to court proceedings,” *United States v. Holy Land Found. for Relief & Dev.*, 624 F.3d 685, 690 (5th Cir. 2010), the “right to inspect and copy judicial records is not absolute,” *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 597 (1978). For example, courts have recognized that the public’s right to access is appropriately limited to protect individual privacy, *Pugh v. Walmart Stores, Inc. Texas Inj. Care Benefit Plan*, No. 1:16-CV-490, 2017 WL 11664888, at \*1 (E.D. Tex. May 30, 2017), and “sources of business information that might harm a litigant’s competitive standing,” *Nixon*, 435 U.S. at 598.

In exercising its discretion to seal judicial records, “the Court must balance the public’s common law right of access against the interests favoring nondisclosure.” *S.E.C. v. Van*

*Waeyenberghe*, 990 F.2d 845, 848 (5th Cir. 1993); *Binh Hoa Le v. Exeter Fin. Corp.*, 990 F.3d 410, 419 (5th Cir. 2021).

### ARGUMENT

Google moves to file under seal its Reply in Support of its Motion for Summary Judgment on Plaintiffs' Antitrust Claims.

This filing quotes from and summarizes the contents of deposition transcripts and expert reports which have been designated Confidential or Highly Confidential under the governing Confidentiality Order (ECF No. 182). Similar materials have been sealed from other filings. *See* ECF No. 337.

### CONCLUSION

For the foregoing reasons, Google's motion to seal should be granted.

Dated: December 23, 2024

Respectfully submitted,

/s/ Eric Mahr

Eric Mahr (*pro hac vice*)

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**CERTIFICATE OF SERVICE**

I certify that on December 23, 2024, this document was filed electronically in compliance with Local Rule CV-5(a) and served on all counsel who have consented to electronic service, per Local Rule CV-5(a)(3)(A).

/s/ Eric Mahr

**CERTIFICATE OF CONFERENCE**

I certify that counsel for Defendant conferred with counsel for Plaintiffs and that counsel for Plaintiffs confirmed Plaintiffs do not oppose the relief requested in this Motion.

/s/ Eric Mahr